

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOSEPH DaROSA, *et al.*,

Plaintiffs,

v.

SPEEDWAY LLC,

Defendant.

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1:19-cv-10791-RGS

PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF SETTLEMENT

After the Court “decertified” this Fair Labor Standards Act (“FLSA”) collective action, *see* Doc. 130, Named Plaintiffs Joseph DaRosa (“DaRosa”), Alka Davis (“Davis”), Martin Schutzius (“Schutzius”), and Daniel Schulz (“Schulz”) (together “Plaintiffs”)¹ pressed forward with their individual FLSA claims² and reached a settlement with Defendant Speedway LLC (“Speedway”). For the reasons described in the accompanying brief, the settlement should be approved as “a ‘fair and reasonable resolution of a *bona fide* dispute over FLSA provisions.’” *Singleton v. AT&T Mobility Services LLC*, 146 F. Supp. 3d 258, 260 (D. Mass. Nov. 12, 2015) (quoting *Lynn’s Food Stores, Inc. v. United States*, 679 F.2d 1350, 1355 (11th Cir. 1982)).

WHEREFORE, Plaintiffs respectfully ask the Court to grant this motion, approve the settlement, and dismiss this action with prejudice.

Date: September 16, 2022

Respectfully submitted,

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¹ Named Plaintiff Wills Clervil was previously dismissed from the action. *See* Dkt. 134-35.

² As the Court has observed, the “1,200+ opt-in plaintiffs” are “no longer litigants in this case.” Dkt. 133.



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LOCAL RULE 7.1 CERTIFICATION

I certify that Defendant concurs in this motion.



Peter Winebrake

CERTIFICATE OF SERVICE

I certify that a copy of this document is being served by electronic filing on September 16, 2022, on all counsel of record.



Peter Winebrake